

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

**IN RE:**

**Rene M. Semaan, Debtor.**

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**CASE NO. 08-53073 pjs  
CHAPTER 13  
JUDGE: Shefferly**

**NOTICE OF PROPOSED PLAN MODIFICATION**

Gregory T. Osment, Attorney for Debtor, pursuant to LBR 3015-2(b), 3015-1(b), and 11 USC 1329 has filed papers with the court in this bankruptcy case making the following change(s):

1) Since the date of confirmation of the Chapter 13 Plan on August 23, 2008, Debtor has experienced a change in circumstances justifying a modification of her Plan in that Debtor is now gainfully employed with two different employers and has additional income to commit to the Chapter 13 Plan. The increase in disposable household income warrants an increase in the Debtor's Plan payment. Debtor hereby proposes to increase her Plan payment from \$931.08/semi-monthly to \$1,200.00/bi-weekly. Said proposed increase in Plan payments will cause a increase in the dividend to general unsecured creditors from 1 % to 29 %.  
Debtors also hereby propose to eliminate the term in the Order Confirming Plan requiring that the Debtor's Plan payment be increased to \$1,023.64 / semi-monthly effective June 1, 2011 when the Debtor's 401K loan #2 is paid off as Debtor is presently no longer paying on 401K loan #2 as she now has a different employer. That in all other respects the Chapter 13 Plan and Order Confirming Plan shall remain in full force and affect. The proposed Plan modification will impact each class of creditors as follows. Class One, no impact anticipated. Class Two, no impact anticipated. Class Three, no impact anticipated. Class Four, no impact anticipated. Class Five, no impact anticipated. Class Six, no impact anticipated. Class Seven, no impact anticipated. Class Eight, it is anticipated that given the present level of Plan funding this class will experience an increase in the dividend of 1 % to a dividend of 29%.

A Liquidation Analysis is attached as Exhibit "A". A Worksheet is attached as Exhibit "B". Debtor has filed amended Schedules "I" and "J" as ecf doc. #58.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to allow these modifications, or if you want the court to consider your views on the motion, **within 21 days**, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:

United States Bankruptcy Court  
211 W. Fort Street, Suite 2100  
Detroit, Michigan 48226

Your response or answer must comply with F.R.Civ.P.8(b), ( c) and (e).

If you mail your response to the court for filing, you must mail it early enough so the **Court will receive it** on or before the date stated above.

You must also mail a copy to :

**GREGORY T. OSMENT**, Attorney at Law, 13 Washington Street, Ste.#1,  
Monroe, MI. 48161.

**KRISPIN S. CARROLL**, Chapter 13 Trustee, 719 Griswold, Suite 1100, Detroit,  
MI 48226.

2. If a served response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objections and may enter an order granting that relief.

Dated: December 6, 2010

/s/ Gregory T. Oment

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GREGORY T. OSMENT (P41385)

Attorney for Debtor(s)

13 Washington Street

Monroe, MI. 48161

(734) 242-4441

[gtoesq@sbcglobal.net](mailto:gtoesq@sbcglobal.net)

## N. LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY [LBR 3015-1(b)(1):

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE	170,000.00	166,084.88	3,915.12	3,915.12	0.00
VEHICLES	4,495.00	1,295.92	3,199.08	3,199.08	0.00
HHG/PERSONAL EFFECTS	440.00	0.00	440.00	440.00	0.00
JEWELRY	50.00	0.00	50.00	50.00	0.00
CASH/BANK ACCOUNTS	0.00	0.00	0.00	0.00	0.00
OTHER	20,560.65	6,907.62	13,653.03	13,653.03	0.00

Amount available upon liquidation	\$ 0.00
Less administrative expenses and costs	\$ 0.00
Less priority claims	\$ 1,377.97
Amount Available in Chapter 7	\$ 0.00

/s/ Gregory T. Osment

Gregory T. Osment P41385

Attorney for Debtor

Gregory T. Osment & Assoc. PLLC

13 Washington Street, Suite 1

Monroe, MI 48161

gtoesq@sbcglobal.net

(734) 242-4441 Fax:(734) 242-2855

Phone Number

/s/ Rene M. Semaan

Rene M. Semaan

Debtor

Joint Debtor

July 24, 2008

Date

## WORKSHEET

1. Length of Plan is \_\_\_\_\_ weeks; 60 months; \_\_\_\_\_ years.

Debtor #1:

2. \$ 1,200.00 per pay period x 65 ( bi-weekly ) pay periods per Plan = \$ 78,000.00 total per Plan

Debtor #2:

\$ \_\_\_\_\_ per pay period x \_\_\_\_\_ ( ) pay periods per Plan = \$ \_\_\_\_\_ total per Plan

3. \$ \_\_\_\_\_ per period x \_\_\_\_\_ periods in Plan = \_\_\_\_\_

4. Sums paid into the Plan as of 12/06/2010 the date of filing of the Notice of Proposed Plan Mod: 41,154.00

5. Equals total to be paid into the Plan 119,154.00

6. Estimated trustee's fees 7,197.24

7. Estimated attorney fees and costs 5,000.00

8. Total priority claims 1,377.97

9. Total installment mortgage or other long-term debt payments 82,348.49

10. Total of arrearage including interest 4,374.53

11. Total secured claims, including interest 573.69

Total of items 6 through 11 \$ 100,871.92

12. Funds available for unsecured creditors (item 5 minus item 11) \$ 18,282.08

13. Total unsecured filed claims \$ 61,679.92

14. Estimated percentage to unsecured creditors under Plan (item 12 divided by item 13) 29 %

15. Estimated dividend to general unsecured creditors if Chapter 7, (see liquidation analysis attached) \$ 0.00

COMMENTS:

**IN THE BANKRUPTCY COURT OF THE UNITED STATES  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION-DETROIT**

**In re:**  
**RENEE M. SEMAAN,**  
\_\_\_\_\_  
Debtor. \_\_\_\_\_  
\_\_\_\_\_ /

Case No. 08-53073 pjs  
Chapter 13  
HON. PHILLIP J. SHEFFERLY

**CERTIFICATE OF SERVICE**

I hereby certify that on December 6, 2010, I served the following paper: **NOTICE OF PROPOSED PLAN MODIFICATION, EXHIBITS “A”, “B”, and CERTIFICATE OF SERVICE** on the following parties at these addresses:

\* All Non-ECF Participants listed on Attachment “A”.

By the following means:

U.S. Postal Service.

Dated: December 6, 2010

/s/Gregory T. Osment  
Gregory T. Osment P41385  
Gregory T. Osment & Assoc. PLLC  
13 Washington Street  
Monroe, MI 48161  
(734) 242-4441  
[gtoesq@sbcglobal.net](mailto:gtoesq@sbcglobal.net)

Label Matrix for local noticing

0645-2

Case 08-53073-pjs

Eastern District of Michigan

Detroit

Mon Dec 6 12:20:28 EST 2010

ARROW FINANCIAL SERVICES, LLC

c/o Jefferson Capital Systems LLC

PO BOX 7999

SAINT CLOUD MN 56302-7999

2

211 West Fort Street

Detroit, MI 48226-3244

16th Judicial District Court

15140 Farmington Rd.

Case No. 08-00874-GC

Livonia, MI 48154-5449

Advance America Cash Advance

29209 Plymouth

Livonia, MI 48150-2392

Advance America Cash Advance

31188 5 Mile Rd.

Livonia, MI 48154-3642

BAC Home Loan Servicing, LP

Bankruptcy Department

2380 Performance Drive

Mail Stop TX2-984-05-03

Richardson, TX 75082-4333

Bank of America

POB 15726

Wilmington, DE 19886-5726

Beneficial

16124 Middlebelt Rd.

Livonia, MI 48154-3338

Better Homes and Gardens

1716 Locust St.

Des Moines, IA 50309-3038

Botsford Hospital

C/O Diversified Receivables Management

P.O. Box 2560

Ann Arbor, MI 48106-2560

Bright House

14525 Farmington Rd.

Livonia, MI 48154-5405

CMI Group LP

4200 International Pkwy.

Carrollton, TX 75007-1930

Capital One

P.O. Box 60024

City Of Industry, CA 91716-0024

Care Credit GE Money Bank

P.O. Box 960061

Orlando, FL 32896-0061

Catherines

P.O. Box 856044

Louisville, KY 40285-6044

Chase Bank USA

800 Brookside Blvd.

Westerville, OH 43081-2822

Chase Bank USA,N.A

P O Box 740933

Dallas,Tx 75374-0933

Chase Card Member Services

P.O. Box 94014

Palatine, IL 60094-4014

City of Livonia

Water Dept.

33000 Civic Center Drive

Livonia, MI 48154-3060

Countrywide Home Loans

P.O. Box 650070

Dallas, TX 75265-0070

Countrywide Home Loans, Inc.

2375 N Glenville Dr

Richardson, TX 75082-4315

Dearborn Village Community Credit Union

4353 Maple St.

Dearborn, MI 48126-3535

(p)DISCOVER FINANCIAL SERVICES LLC

PO BOX 3025

NEW ALBANY OH 43054-3025

Discover Bank/DFS Services LLC

PO Box 3025

New Albany, OH 43054-3025

Encore Receivables Collections Management

P.O. Box 3330

Olathe, KS 66063-3330

GEMB

P.O. Box 981127

El Paso, TX 79998-1127

HSBC Bank Nevada, N.A.

eCAST Settlement Corporation

c/o Bass & Associates, P.C.

3936 E. Ft. Lowell Rd., Suite 200

Tucson, AZ 85712-1083

Holzman, Ritter & Leduc, PLLC  
28366 Franklin Road  
Southfield, MI 48034-5503

JC Penney C/O GE Money Bank  
C/O Professional Bureau of Collections  
P.O. box 628  
Elk Grove, CA 95759-0628

JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
ST CLOUD MN 56302-7999

Joan Borowicz  
2936 22nd St.  
Wyandotte, MI 48192-5306

Joseph Polak  
18725 Flamingo  
Livonia, MI 48152-4319

Kohls  
N56W17000 Ridge  
Menomonee Falls, WI 53051

LVNV Funding LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Livonia Radiology  
14555 Levan Ste. 310  
Livonia, MI 48154-5085

MACYS RETAIL HOLDINGS, INC.  
TSYS DEBT MGMT., INC.  
PO BOX 137  
COLUMBUS, GA 31902-0137

Macy's  
P.O. Box 689195  
Des Moines, IA 50369-0001

Marcy J. Ford  
Trott & Trott, P.C.  
31440 Northwestern Highway, Suite 200  
Farmington Hills, MI 48334-5422

Medical Financial Solution  
2000 Town Center Ste 1100  
Southfield, MI 48075-1251

Medical Financial Solution  
P.O. Box 773156  
Chicago, IL 60677-0001

Merrill Lynch  
C/O Sedgwick Claims Management Svcs  
1100 Ridgeway Loop Rd.  
Memphis, TN 38120-4053

Michigan Department of Treasury  
Dept. #77569  
P.O. Box 77000  
Detroit, MI 48277-0569

Motor City Casino  
C/O Certegy Payment Recovery Services  
11601 Roosevelt Blvd.  
Saint Petersburg, FL 33716-2202

NAFS  
165 Lawrence Bell Dr. ste. 100  
P.O. Box 9027  
Williamsville, NY 14231-9027

NES  
29125 Solon Rd.  
Solon, OH 44139-3442

Nissan Motors Acceptance Corp.  
8900 Freefort Parkway  
Irving, TX 75063-2438

North Shore Agency  
P.O. Box 8901  
Westbury, NY 11590-8901

Parisian C/O Retail Services  
Dept. 7680  
Carol Stream, IL 60116-0001

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Providence Hospital  
27800 Dequindre Rd.  
Warren, MI 48092-5601

Recovery Management Systems Corporation  
25 S.E. 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

Remittance Processing  
334 SW 87th St.  
Des Moines, IA 50309

Ronald Drzyzga  
2480 8th St.  
Wyandotte, MI 48192-4319

Roundup Funding, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

SPIRIT OF AMERICA NATIONAL BANK/CATHERINES  
FIRST EXPRESS  
PO BOX 856044  
LOUISVILLE, KY 40285-6044

ST MARYS MERCY C/O MMCC  
ACCT# 5045362  
6324 TAYLOR DR. FLINT, MI 48507

ST MARYS MERCY C/O MMCC  
ACCT# 5412958  
6324 TAYLOR DR. FLINT, MI 48507

Sandy Beri  
7310 Sunshine Skyway Lane S. #118  
Saint Petersburg, FL 33711-4978

Sears  
8725 W. Sahara  
The Lakes, NV 89163-0001

Shermeta & Adams, P.C.  
P.O. Box 5016  
Rochester, MI 48308-5016

St. John Providence Hospital  
Box 773156 Solutions Rd.  
Chicago, IL 60677-3001

St. Mary Mercy Hospital  
36475 Five Mile Rd.  
Livonia, MI 48154-1988

St. Mary's  
M&M Merchant  
6324 Taylor Dr.  
Flint, MI 48507-4680

State of Michigan  
Department of Treasury  
Collections Division  
Treasury Building  
Lansing, MI 48922-0001

TARGET NATIONAL BANK  
C O WEINSTEIN AND RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Target  
P.O. Box 59317  
Minneapolis, MN 55459-0317

Verizon  
777 Big Timber Rd.  
Elgin, IL 60123-1401

Verizon Wireless  
777 Big Timber Rd.  
Elgin, IL 60123-1401

Verizon Wireless Midwest  
P.O. Box 3397  
Bloomington, IL 61702-3397

Wells Fargo C/O Associated Credit Servic  
105B South St.  
P.O. Box 9100  
Hopkinton, MA 01748-9100

Wells Fargo Financial  
3201 N. 4th Ave.  
Sioux Falls, SD 57104-0700

Wells Fargo Financial Michigan Inc  
4137 121st Street  
Urbandale IA 50323-2310

Zwicker and Associaletes  
P.O. Box 9043  
Andover, MA 01810-0943

eCAST Settlement Corporation  
C/O Bass & Associates, P.C.  
3936 E. Ft. Lowell Rd., Suite 200  
Tucson, AZ 85712-1083

eCAST Settlement Corporation assignee of  
Capital One Bank  
POB 35480  
Newark NJ 07193-5480

eCAST Settlement Corporation assignee of  
Chase Bank USA NA  
POB 35480  
Newark NJ 07193-5480

eCAST Settlement Corporation assignee of  
FIA Card Services aka Bank of America  
POB 35480  
Newark NJ 07193-5480

eCAST Settlement Corporation assignee of  
Household Finance Corporation/Beneficial  
POB 35480  
Newark NJ 07193-5480

Gregory T. Osment  
13 Washington Street  
Suite 1  
Monroe, MI 48161-2298

Krispen S. Carroll  
719 Griswold  
1100 Dime Building  
Detroit, MI 48226

Rene M. Semaan  
18725 Flamingo  
Livonia, MI 48152-4319

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover  
P.O. Box 15316  
Wilmington, DE 19850

Portfolio Recovery Associates  
PO Box 41067  
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC  
P.O. BOX 41067  
Norfolk, VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BAC Home Loans Servicing, L.P. fka Country

(u)Countrywide Home Loans, Inc.

(u)Dearborn Village Community Credit Union

End of Label Matrix

Mailable recipients 83

Bypassed recipients 3

Total 86